



2009-09

APPROVED BY

DATE April 28, 2009

START ACTION NOTICE

1. TYPE OF ACTION: Adopt new federal area source standard into 7 DE Admin. Code 1138, Emission Standards for Hazardous Air Pollutants for Source Categories applicable to new and existing miscellaneous surface coating operations.
2. PURPOSE OF ACTION: Congress sought to reduce cancer and non-cancer health risks due to the exposure to hazardous air pollutants (HAPs) in the 1990 Amendments to the Clean Air Act. Under Section 112(k) – Area Source Program, Congress mandated that the EPA identify 30 or more HAPs that posed the greatest threat to public health in urban areas and to identify the area (i.e., small) sources that emit any of those pollutants.

In January 2008, the EPA promulgated another of these federal area source standards applicable to facilities in Delaware. This standard, found at 40 CFR Part 63 Subpart HHHHHH, is applicable to new and existing miscellaneous surface coating operations that spray apply coatings to any metal and/or plastic parts or products other than motor vehicles or mobile equipment.

This area source standard addresses the emissions of cadmium, chromium, lead, manganese or nickel compounds. The EPA has classified hexavalent chromium as a known carcinogen and many of the compounds of cadmium, lead, and nickel as probable carcinogens. The major non-cancerous effects from chronic inhalation exposure to these heavy metal compounds in humans are effects upon the respiratory tract (chromium and nickel), central nervous system (lead and manganese) and kidneys (cadmium).

3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
4. LIKELY AFFECTED PUBLIC: The regulated community is comprised of any stationary source that spray applies surface coatings on parts and products. The public, especially those living near affected facilities, will benefit from the reduced exposure to these heavy metal compounds.
5. PROPOSED SCHEDULE OF ACTIVITIES: Public workshop – Summer 2009
Proposal in DE Register – Fall 2009
Public Hearing – Fall 2009
Effective Date – Winter 2010
6. REVIEW COMMITTEE: Because the Department intends to propose requirements that are substantively the same as the minimum federal requirements, it knows of no issues which require review committee discussion. The Department plans to conduct a public workshop to educate both the public and regulated communities. In addition, the Department will establish and maintain an informative web site throughout the regulatory development process.

7. RESPONSIBLE STAFF MEMBER: Jim Snead 302-323-4542 (phone)
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8. APPROVALS:

Responsible Staff Member

3/24/09

Date

Division Director

31 MAR 2009

Date